

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ANGELA WEISGARBER on behalf of)
N.C.B., a minor,)
Plaintiff,)
v.) No. 3:13-CV-426
CAROLYN W. COLVIN,) (VARLAN/SHIRLEY)
Acting Commissioner of Social Security,)
Defendant.)

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 12-03. Now before the Court is Plaintiff's Motion for Oral Argument [Doc. 27] on the parties' motions for summary judgment.

The motion states that oral argument is requested because this case involves issues of Child's Supplemental Security Income and contains many complex arguments regarding the three-step sequential evaluation process. In addition, the motion submits that oral argument would allow the parties to address recent changes in the evaluation process as well as the impact of the treating physician's rule in a child's social security case.

The Court finds that the parties' motions for summary judgment are now ripe for review. See E.D. Tenn. L.R. 7.1. In addition, the Defendant has not responded in opposition to the Plaintiff's motion for oral argument and the time for doing so has expired. See E.D. Tenn. L.R. 7.1(a), Fed. R. Civ. P. 6(d), 5(b)(2)(E). The Court may treat the lack of opposition during the time allowed under the rule as acquiescence to the relief sought. See E.D. Tenn. L.R. 7.2; see also Campbell v. McMinn County, 2012 WL 369090 (E.D. Tenn. 2012). Accordingly, the

Plaintiff's Motion for Oral Argument [Doc. 27] is well-taken and is **GRANTED**. The undersigned will hear oral argument on the Plaintiff's Motion for Summary Judgment [Doc. 21] and the Defendant's Motion for Summary Judgment [Doc. 24] on **May 22, 2014, at 9:30 a.m.**

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge